

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 17, delete lines 15 through 33, begin a new paragraph and
- 2 insert:
- 3 "SECTION 12. IC 4-4-11-15.1, AS AMENDED BY P.L.235-2005,
- 4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2010]: Sec. 15.1. ~~(a)~~ The authority ~~shall~~:
- 6 ~~(1) without complying with IC 4-22-2, adopt a policy establishing~~
- 7 ~~a code of ethics for its employees; or~~
- 8 ~~(2) decide it wishes to be is~~ under the jurisdiction and rules
- 9 adopted by the state ethics commission.
- 10 ~~(b) A code of ethics adopted under this section must be consistent~~
- 11 ~~with state law and approved by the governor."~~
- 12 Page 19, after line 30, begin a new paragraph and insert:
- 13 "SECTION 14. IC 5-1.5-2-10 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10. ~~(a)~~ The bank ~~shall~~:
- 15 ~~(1) adopt:~~
- 16 ~~(A) rules under IC 4-22-2; or~~
- 17 ~~(B) a policy;~~
- 18 ~~establishing a code of ethics for its employees; or~~
- 19 ~~(2) decide it wishes to be is~~ under the jurisdiction and rules
- 20 adopted by the state ethics commission.
- 21 ~~(b) A code of ethics adopted by rule or policy under this section~~
- 22 ~~must be consistent with state law and approved by the governor.~~
- 23 SECTION 15. IC 5-10.3-3-7 IS AMENDED TO READ AS
- 24 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. ~~(a)~~ The board shall

- 1 do all of the following:
- 2 (1) Appoint a director, subject to the approval of the governor.
- 3 (2) Appoint an actuary and employ or contract with employees,
- 4 auditors, technical experts, legal counsel, and other service
- 5 providers as it considers necessary to transact the business of the
- 6 fund, without the approval of any state officer.
- 7 (3) Fix the compensation of persons:
- 8 (A) appointed or employed by the board; or
- 9 (B) who contract with the board.
- 10 (4) Establish a general office in Indianapolis for board meetings
- 11 and for administrative personnel.
- 12 (5) Provide for the installation in the general office of a complete
- 13 system of books, accounts including reserve accounts, and records
- 14 in order to give effect to all the requirements of this article and to
- 15 assure the proper operation of the fund.
- 16 (6) Provide for a report at least annually, before June 1, to each
- 17 member of the amount credited to him in the annuity savings
- 18 account in each investment program under IC 5-10.2-2.
- 19 (7) With the advice of the actuary, adopt actuarial tables and
- 20 compile data needed for actuarial studies which are necessary for
- 21 the fund's operation.
- 22 (8) Act on applications for benefits and claims of error filed by
- 23 members.
- 24 (9) Have the accounts of the fund audited annually by the state
- 25 board of accounts.
- 26 (10) Publish for the members a synopsis of the fund's condition.
- 27 (11) Adopt a budget on a calendar year or fiscal year basis that is
- 28 sufficient, as determined by the board, to perform the board's
- 29 duties and, as appropriate and reasonable, draw upon fund assets
- 30 to fund the budget.
- 31 (12) Expend money, including income from the fund's
- 32 investments, for effectuating the fund's purposes.
- 33 (13) Establish personnel programs and policies for its employees.
- 34 (14) Submit a report of its activities each year to the governor, the
- 35 pension management oversight commission, and the budget
- 36 committee before November 1 of each year. The report under this
- 37 subdivision must set forth a complete operating and financial
- 38 statement covering its operations during the most recent fiscal
- 39 year, including information on the following:
- 40 (A) Investment performance.
- 41 (B) Investment and administrative costs as a percentage of
- 42 assets under management.
- 43 (C) Investment asset allocation strategy.
- 44 (D) Member services.
- 45 (E) Member communications.
- 46 ~~(15) Establish a code of ethics or decide to be under the~~

jurisdiction and rules adopted by the state ethics commission.

**(b) The board is under the jurisdiction and rules adopted by the state ethics commission.**

SECTION 16. IC 5-10.4-3-6, AS ADDED BY P.L.2-2006, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 6. (a) A trustee shall give bond as specified periodically by the state board of finance.

(b) The board shall do all the following:

(1) Act on an application for benefits.

(2) Provide the necessary forms for administering the fund.

(3) Establish records and accounts, which:

(A) provide the necessary information for an actuary's examination; and

(B) are sanctioned by the state board of accounts.

(4) Maintain individual records for each member containing the member's:

(A) name;

(B) date of birth;

(C) age at beginning service;

(D) service record;

(E) address;

(F) contributions to the fund;

(G) amounts withdrawn; and

(H) benefits paid;

and other items considered necessary.

(5) Employ or contract with employees, auditors, technical experts, legal counsel, and other service providers as the board considers necessary to transact the business of the fund without the approval of any state officer, and fix the compensation of those persons.

(6) Make rules as required to administer the fund.

(7) Publish a summary of the fund's condition.

(8) Provide for a report for each member, at least annually before June 1, of the value of the amount credited to the member in the annuity savings account in each investment program under IC 5-10.2-2.

(9) Provide for the installation in the general office of a complete system of:

(A) books;

(B) accounts, including reserve accounts; and

(C) records;

to give effect to all the requirements of this article and to ensure the proper operation of the fund.

(10) Appoint an actuary.

(11) With the advice of the actuary, adopt actuarial tables and compile data needed for actuarial studies necessary for the fund's

operation.

(12) Adopt a budget on a calendar year or fiscal year basis that is sufficient, as determined by the board, to perform the board's duties and, as appropriate and reasonable, draw upon fund assets to fund the budget.

(13) Expend money, including income from the fund's investments, for effectuating the fund's purposes.

(14) Establish personnel programs and policies for the employees of the board.

(15) Submit a report of the board's activities to the governor, the pension management oversight commission, and the budget committee before November 1 of each year. The report under this subdivision shall set forth a complete operating and financial statement covering the board's operations during the most recent fiscal year, including information on the following:

(A) Investment performance.

(B) Investment and administrative costs as a percentage of assets under management.

(C) Investment asset allocation strategy.

(D) Member services.

(E) Member communications.

~~(16) Establish a code of ethics or decide to be under the jurisdiction and rules adopted by the state ethics commission.~~

**(c) The board is under the jurisdiction and rules adopted by the state ethics commission.**

SECTION 17. IC 5-13-12-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3.1. ~~(a)~~ The board for depositories shall:

~~(1)~~ adopt:

~~(A)~~ rules under IC 4-22-2; or

~~(B)~~ a policy;

establishing a code of ethics for its employees; or

~~(2)~~ decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

~~(b)~~ A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

SECTION 18. IC 5-20-1-4.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4.1. ~~(a)~~ The authority shall:

~~(1)~~ adopt:

~~(A)~~ rules under IC 4-22-2; or

~~(B)~~ a policy;

establishing a code of ethics for its employees; or

~~(2)~~ decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

~~(b)~~ A code of ethics adopted by rule or policy under this section

1 must be consistent with state law and approved by the governor.

2 SECTION 19. IC 8-10-1-7.1, AS AMENDED BY P.L.98-2008,  
3 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2010]: Sec. 7.1. (a) The ports of Indiana shall:

5 (1) adopt:

6 (A) rules under IC 4-22-2; or

7 (B) a policy;

8 establishing a code of ethics for its employees; or

9 (2) decide it wishes to be are under the jurisdiction and rules  
10 adopted by the state ethics commission.

11 (b) A code of ethics adopted by rule or policy under this section  
12 must be consistent with state law and approved by the governor.

13 SECTION 20. IC 9-15-2-2.2 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2.2. (a) The  
15 commission shall:

16 (1) adopt:

17 (A) rules under IC 4-22-2; or

18 (B) a policy;

19 establishing a code of ethics for its employees; or

20 (2) decide it wishes to be is under the jurisdiction and rules  
21 adopted by the state ethics commission.

22 (b) A code of ethics adopted by rule or policy under this section  
23 must be consistent with state law and approved by the governor.

24 SECTION 21. IC 10-15-2-11 IS AMENDED TO READ AS  
25 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 11. (a) The foundation  
26 shall:

27 (1) adopt:

28 (A) rules under IC 4-22-2; or

29 (B) a policy;

30 establishing a code of ethics for its employees; or

31 (2) submit to is under the jurisdiction and rules adopted by the  
32 state ethics commission.

33 (b) A code of ethics adopted by the foundation by rule or policy  
34 under this section must be consistent with state law and approved by  
35 the governor.

36 SECTION 22. IC 14-12-1-10.1 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10.1. (a) The  
38 foundation shall:

39 (1) adopt:

40 (A) rules under IC 4-22-2; or

41 (B) a policy;

42 establishing a code of ethics for its employees; or

43 (2) decide it wishes to be is under the jurisdiction and rules  
44 adopted by the state ethics commission.

45 (b) A code of ethics adopted by rule or policy under this section  
46 must be consistent with state law and approved by the governor.

SECTION 23. IC 14-13-1-14.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 14.5. (a) The commission shall:

(1) adopt:

(A) rules under IC 4-22-2; or

(B) a policy;

establishing a code of ethics for its employees; or

(2) decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

SECTION 24. IC 15-13-2-13, AS ADDED BY P.L.2-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 13. (a) The commission shall:

(1) adopt:

(A) rules under IC 4-22-2; or

(B) a policy;

establishing a code of ethics for employees of the commission; or

(2) decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rules or policy under this section must be consistent with Indiana law and approved by the governor.

SECTION 25. IC 21-11-9-3, AS ADDED BY P.L.2-2007, SECTION 252, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. (a) The commission shall:

(1) adopt:

(A) rules under IC 4-22-2; or

(B) a policy;

establishing a code of ethics for its employees; or

(2) decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

SECTION 26. IC 26-4-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10. (a) The corporation shall:

(1) adopt:

(A) rules under IC 4-22-2; or

(B) a policy;

establishing a code of ethics for its employees; or

(2) decide it wishes to be is under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

SECTION 27. IC 27-1-29-27.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 27.1. (a) The

1 commission shall:  
2 (1) adopt:  
3 (A) rules under IC 4-22-2; or  
4 (B) a policy;  
5 establishing a code of ethics for its employees; or  
6 (2) decide it wishes to be is under the jurisdiction and rules  
7 adopted by the state ethics commission.  
8 (b) A code of ethics adopted by rule or policy under this section  
9 must be consistent with state law and approved by the governor".  
10 Renumber all SECTIONS consecutively.  
(Reference is to HB 1001 as printed January 5, 2010.)

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Representative Pelath